

REMARKS**A. OVERVIEW**

Claims 1-118 were originally pending. Claims 45-118 were cancelled in a preliminary amendment. Claims 28-44 have been withdrawn pursuant to a restriction requirement. The final rejection has been reviewed and there are several rejections based on prior art to certain claims. However some claims are rejected only on the basis of § 112.

To advance prosecution of this application, and without prejudice to pursuing additional claims in a related application, this response cancels the withdrawn claims, presents revisions which are submitted to overcome the § 112 rejections, and adds to the independent claims limitations of claims that have not been rejected on the basis of prior art. It is respectfully submitted this places the application in form for allowance. Entry and reconsideration is respectfully requested.

B. WITHDRAWN CLAIMS

To advance prosecution, withdrawn claims 28-44 have been cancelled without prejudice.

C. 35 U.S.C. § 112 REJECTIONS

Claim 1 has been amended in a manner which is believed to remedy any § 112 rejection.

First, element (b) has been amended to make it clear that sets of seed are conveyed "without individual containers for each set", and without "monitoring a physical location correlated to a pre-defined coordinate system". This is accurate and supported by Applicant's specification. As set forth in Applicant's prior response, a subtle but important aspect of the invention is the ability to send discrete sets of seed through a plurality of processing stations without commingling the sets, even though they are not physically in separate containers or

tracked relative to a physical, pre-defined coordinate system. As stated in the claim, tracking is based on one or more of "state of said conveying", "time", or "an operation relative to each set of seed". For example, the system tracks each set by keeping track of whether gates or actuators for the conveying system are on or off or have been operated or the amount, time between entry at the input and receipt at the output, or what operations have been performed on a set. The prior art has containers for sets of product that can be tracked by physical location or site. The prior art also has a pre-defined coordinate system in which robotic actuators can be instructed. It is incorrect that there is either of these in claim 1. While sets of seed in Applicant's embodiment are technically "contained" from time to time in the conveying system, claim 1 has been amended to make it clear sets are not carried individually in separate containers through the conveying system. While it is true that any machine exists in physical space and that a set of seed at any one time is in some relationship to the machine in physical space, this is not the same as having a pre-defined coordinate system in which some sort of intelligent controller can instruct a machine to move to a coordinate location in that grid, and thus can likewise monitor where the machine is in the grid to know location of a robotic arm or other actuator.

Furthermore, element (c) of claim 1 has been amended to eliminate the phrase "said one or more operations" and substitute "a said operation", to alleviate the objection to that language.

Finally, the clause "not by position of a conveying mechanism... performed on each set" has been deleted from claim 1, mooted that rejection.

It is therefore respectfully submitted § 112 matters relative to claim 1 have been addressed and remedied, and that the § 112 rejections to claims 1-27 have been remedied.

D. REJECTIONS BASED ON PRIOR ART

Claims 1-14, 15, 17-23 and 26 have been rejected as anticipated by either Bhide, Keller, or Peeples, all previously of record. Additionally, claims 15 and/or 16 have been rejected as obvious based on one of those three references. These rejections are respectfully traversed for the reasons set forth in Applicant's prior response, which is incorporated by reference herein.

However, to advance prosecution of the present application, it is noted that no prior art rejections have been entered relative to claims 24, 25, and 27. It is respectfully submitted that the only basis for rejection is under § 112, and that those rejections have been remedied. It is therefore respectfully submitted that these claims are allowable.

Specifically, claim 1 has been amended to include the material limitations of dependent claim 27. Please also note the material limitations of dependent claim 26 have also been added to claim 1. This was done for antecedent basis purposes. As is clear from the original claims, claim 27 originally should have been dependent on claim 26. It is respectfully submitted amended claim 1 is allowable. Dependent claims 2-25 are submitted to be allowable for the reasons expressed in support of amended claim 1. Claims 26 and 27 have been cancelled.

Similarly, new independent claim 119 has the material limitations of claims 1 and 25. Additionally the material limitations of claim 24, from which claim 25 is dependent, have been added. It is respectfully submitted new claim 119 is allowable. New claims 120-143 are identical to independent claims 2-23 and 26, 27 respectively and are submitted to be allowable for the reasons expressed in support of new claim 119.

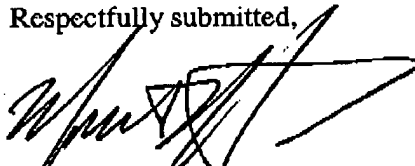
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CENTRAL FAX CENTER****MAY 19 2006****E. CONCLUSION**

It is respectfully submitted that all matters raised in the Final Rejection have been addressed and remedied and that the application is in form for allowance. Favorable action is respectfully requested.

Please charge Deposit Account No. 26-0084 in the amount of \$400.00 for the provision of 8 new dependent claims. It is not believed that any additional fees or extensions of time are required for entry of this response. If any has been inadvertently overlooked, please consider this a request therefore and charge any required fee to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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